

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIGHTHOUSE LIFE INSURANCE
COMPANY,

Plaintiff,

v.

THOMAS JOHN FILLEY et al,

Defendants.

CASE NO. C23-0642-KKE

ORDER GRANTING JOINT MOTION
FOR STAKEHOLDER DISCHARGE AND
OTHER INTERPLEADER RELIEF

This matter comes before the Court on the Parties' joint motion for stakeholder discharge and other interpleader relief. Dkt. No. 37. The motion is GRANTED.

IT IS HEREBY ORDERED THAT:

1) Brighthouse Life Insurance Company ("Brighthouse") shall be, and hereby is, discharged from any and all liability to the Defendants and dismissing with prejudice all claims against Brighthouse relating to the death benefit proceeds ("Death Benefit") that became due as a consequence of the death of Bette Filley (the "Owner") in connection with Variable Annuity number 3204243466 (the "Annuity"), and which have been deposited with the Registry of the Court¹ and/or otherwise relating to, or in any way arising out of or in connection with, the Annuity;

¹ Pursuant to this Court's Order dated September 29, 2023 (Dkt. No. 32) and Order on Amended Motion dated October 25, 2023 (Dkt. No. 33), Brighthouse caused to be delivered to the Clerk of Court funds totaling \$292,979.89, representing the Death Benefit and applicable interest thereon. The Clerk confirmed receipt of funds (Receipt # SEA200003268).

1 2) Defendants are hereby permanently enjoined from bringing any action or
2 proceeding in any forum, or making any further actual or implied claims, demands and causes of
3 action, asserted or unasserted, liquidated or unliquidated, or bringing any action or proceeding in
4 any forum against Brighthouse relating to, or in any way arising out of or in connection with, the
5 Death Benefit and/or interest thereon and/or the Annuity;

6 3) Each of the Defendants does therefore release, remise, and forever disclaim all
7 claims, rights, interests and actions that such Defendant might otherwise have held against
8 Brighthouse and its present and former parents, subsidiaries and affiliated corporations,
9 predecessors, successors and assigns and their respective officers, directors, agents, employees,
10 representatives, attorneys, fiduciaries and administrators, with respect to the Death Benefit and/or
11 interest thereon and/or otherwise relating to, or in any way arising out of or in connection with,
12 the Annuity; and

13 4) Brighthouse shall be, and hereby is, dismissed from this action with prejudice and
14 all claims asserted or that could have been asserted herein against Brighthouse are dismissed with
15 prejudice without fees or costs to any party;

16 5) The Case Schedule in this matter shall be stayed as the parties have been ordered
17 to mediate all disputes related to the Laurence D. and Bette E. Filley Trust Dated August 29, 2008,
18 in Case No. TRUPE2100090 in the Superior Court of California in San Bernardino County
19 (hereafter: "The Probate Matter");

20 6) Should this dispute not be entirely resolved by mediation in the probate matter, or
21 for any other good cause shown, any party may move to lift the stay and certify this matter for
22 trial; and

23 7) The Parties shall file a Joint Status Report updating the Court on the status of
24 mediation and the state court case by March 1, 2024.

1 The Court GRANTS the parties' joint motion. Dkt. No. 37.

2 Plaintiff, Brighthouse Life Insurance Company, is DISMISSED WITH PREJUDICE from
3 this action.

4 This ORDER shall be deemed a final judgment in accordance with Fed. R. Civ. P. 54(b),
5 there being no just reason for delay.

6 Dated this 14th day of December, 2023.

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9 Kimberly K. Evanson
10 United States District Judge
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